

Advocacy Note:

Vertical Integration and Indonesia's CSO Movement for T/A¹

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Background

During the last 17 years, Indonesia has been through three trials of decentralization models. The first involved strengthening the autonomy of pilot areas in the district / city, through the release of Presidential Decree No. 11 of 1996, which declared 25 April as the Day of Autonomy. The second trial occurred as a result of an acceleration of reforms following 1998, with the implementation of regional autonomy widest placed at the district / city following the issuance of Law No. 22 and No. 25 of 1999, and six authorities are remained under the national government. The third trial involved Law No. 32 and No. 33 of 2004, as well as direct local elections since 2005. In terms of authority, it was an attempt to revise the excess authority (*ultra vires*).

If there are no obstructions, there will be changes this year to the two last-mentioned laws. The first critical point is the position of governor, which is outlined as the representative of the central government in the constitution, but has been tied up with the article 18 of the clauses democratic elections. Secondly, there is a tendency to strengthening central control with greater authority in the Ministry of Home Affairs (MoHA). The political realities in different regions have been recognized by the MoHA as a reason for the revision effort, although the age of the regulation has not yet reached 10 years old. For a number of stakeholders in the area, there is suspicion that this change is an effort to restore the centralized power gradually.

It is true that on one side, decentralization has shown a negative bias to various forms of corruption, abuses of power, non-neutral bureaucracy, and various forms of fraud. Also, direct democracy does not always produce a local leader who is free from fraudulent behavior, but keep in mind that fraud can occur in any system, centralized or decentralized. In the context of good governance, fraudulent behavior occurs due to the lack of ethical deficiencies by elites at the executive and the legislature levels, not only in the region, but also in the center. This is facilitated by lack of public access in overseeing the state apparatus. Encouraging ethical behavior can be a model for the structure of the elite in government and society, whilst, greater public access can drive faster change and better ensure the development of priorities as needed. Decentralization becomes increasingly bridge not only bring the public service but also the preferences.

¹ This article is for discussion in International Transparency and Accountability Workshop (ITAW) in American University, Washington, DC, 18-20 September 2014.

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Negative Excess of Decentralization and Role of CSOs

It is true also, that the last ten years has seen a lot of inefficiency and ineffectiveness in the management of development at the local level. Such as horizontal conflict as excess local elections, and public budget mismanagement led 291 cases of corruption, more than 3 thousands parliament member, 1,500 civil servants (Iskandar, 2013). The important question, to what extent are MoHA and other ministries already undertaking local government capacity building and political education? Decentralization of political authority, administrative, and true fiscal and technical assistance should be accompanied by adequate supervision. There is a tendency, however, for laziness by the central government in actually performing these two functions. The indication from the visit to the area was limited to ceremonial, technical assistance is often done in bulk with antiquated methods, with monitoring and evaluation being half-hearted. It is thus not surprising that the Millennium Development Goals are not being satisfactorily met.

CSOs recognition during the New Order regime was instrumental in the revival process in Indonesian society. This awakening saw an increase in their bargaining position in face of the country, especially with regards to the government. Similarly, the Center for Regional Information and Studies (PATTIRO), as a CSO engaged in salient issues, placing them in the context of democratization. In the latter half of the New Order regime, CSOs generally played the role of balancing the state through a confrontational stance. This was due to the New Order regime's authoritarian and repressive character (Alamsyah, 2013).

However, developments in the post-reforms began to take shape and allowed for the opening of democratic institutions. Power was no longer concentrated in the central government, but was spread to other state agencies, and dispersed to the local level. While at the community level, these changes tended to be largely removed from the values of civil society. This phenomenon of course, was anticipated by PATTIRO, allowing PATTIRO to maintain the relevance of its role in the process of social change, and particularly in the strengthening of civil society.

Indonesian CSOs in Transparency and Accountability: FOINI, Open Government, and MP3

With the collapse of the Suharto regime (1998 reform), demands for a more open government became one of the main agendas of Indonesian civil society. Efforts to promote transparency, broaden participation in public decision-making and create an accountable state administration were dominant issues in the public discourse that characterized the beginning of the reform era.

To ensure transparency, a number of civil society organizations took the initiative to propose draft Freedom of Information (FOI) legislation. The Indonesian Center for Environmental Law (ICEL) designed the initial draft to be discussed with the coalition, which was then proposed to the parliament. Eight years later, this initiative resulted in what is known as the Freedom of Information Law. As a product of the reform, it is not surprising that this act has a purpose that goes beyond mere transparency in public institutions. It also looks to encourage community participation and accountability of the state.

In order to further the issue of participation, the Indonesia Civil Society Alliance for Democracy (YAPPIKA) has attempted to push the rights of citizens to be involved in the formulation of legislation. These efforts have influenced provisions in the Law on the Procedure for the Establishment Regulation Legislation. In terms of regulations governing the participation of citizens, civil society organizations have also encouraged the birth of several initiatives, with the formalization of some of those initiatives under law. Some of these regulations are intended to ensure the participation of citizens, based on the context and the area of decision-making on certain issues.

From there, advocacy began to develop into collaborative schemes. Naturally, this progression saw two differentiated approaches to advocacy. The first pattern of engagement saw a continuation of pre-existing schemes, with both a face-to-face approach and the use of the media to public pressure. The second pattern has seen a movement into new spaces, often in the form of advisory and technical assistance to state officials. Use of the media in collaborative patterns is usually marked with promotion more than pressure. In this manner, civil society has begun to enter into technocratic work.

This collaborative approach has developed in areas where actors within government agencies can be categorized as reformist. This approach became even stronger when these reformist actors have held the highest leadership positions in government agencies. The facts demonstrate the importance of the reformist leadership role in implementing Open Government.

Reforms are driven by mutually reinforcing cross-sectorial coalitions between state and society, grounded in mutually perceived interests (Fox, 2004). For more than four years, the Public Services Coalition of Concerned Citizens (MP3) oversaw the formulation of the Public Service Act, during which time, some important measures were successfully inserted into the act. In doing so, this coalition has managed to incorporate the perspective of the fulfillment of basic rights into public service delivery, disrupting the monopoly of an administrative perspective. MP3 involvement has shaped arrangements

regarding access to information and community involvement in public service delivery in this act.

In the law, the following provisions were finally set: (i) establishment of service standards by involving community service units (participatory) and there is no guarantee of access to information in the public service; (ii) intimation of service (originally proposed charter residents), which is a promise to the public service units appropriate to carry out the agreed standard of service; (iii) special care of vulnerable groups; (iv) the obligation to make an internal complaint handling mechanisms are integrated nationally; (vi) dispute settlement mechanism and ombudsman services through sanctions; (vii) ensuring external scrutiny by the public.³

Some activists of civil society organizations that originally sat in the National Ombudsman Commission have taken the initiative to encourage the formation of the Ombudsman Act of the Republic of Indonesia (ORI). ORI, as the Information Commission, supports the state institutions (state auxiliary body) whose role it is to handle complaints of the state administration, including in the delivery of public services.

At the level of practice, some NGOs have developed assessment tools for use by residents. One key example is the Citizen Report Card (CRC). PATTIRO introduced the use of the CRC as a method for evaluating the basic services received by residents in selected areas. In response, several local governments adopted the method for assessing and improving the performance of public services.

In Lebak district, the results of a Citizen Report Cards (CRC) analysis of health services saw the local government reallocate funds to better address community needs in the form village midwives. In Jeneponto of South Sulawesi, the results of a CRC resulted in the drafting of regional regulations on education and regulations on public service. In Bantaeng, South Sulawesi, as a result of CRC training for local CSOs by PATTIRO, this initiative was adopted by the Bantaeng government, making the CRC an annual event. Whilst in the first instance, the Bantaeng government implemented its use for just the health sector, it was later extended it to a variety of other sectors, such as education. In Pekalongan, the CRC was adopted by local government to assess the performance of public services in a participatory manner, through the Community Based Monitoring Survey.

³ MP3 is also actively involved in the formulation of rules of derivatives, such as PP 96/2012 on the Implementation of the Public Service Act and Minister Decree of Administrative Reforms no 36/2012 on the Preparation of Technical Guidance Service Standards. In addition, it has been involved in the preparation for the implementation of service standards, in cooperation between MP3 and the ministry with piloting occurring in 6 provinces.

Furthermore, this initiative has also spawned an important institution at the local level, known as the Community Forum (CF). The CF serves as an information center for the community, especially for people who have difficulty accessing information, assisting citizens in making requests for information or complaints regarding government services. Furthermore, it serves as a bridge between the government and the people, advocating for the improvement of public services and public participation in the development planning process. In Lebak district, the local government has adopted and expanded the presence of the CC to all districts. The establishment of the Banten Provincial Government Information Commission was facilitated by the Serang CC, after it collected 3,000 signatures of citizens who demanded the establishment of the Information Commission.

In Malang and Makassar, PATTIRO has been developing SMS Gateway, in order to allow the user community to provide feedback to water providers, regarding water services. SMS Gateway is an application embedded in a web-based system, its function is to convey information, receive SMS from mobile devices and respond to SMS submitted by the public to the water providers. Through this application, consumers can convey information regarding the condition of water services on the ground. Water providers can also respond quickly to information or complaints made by the public and follow up with on the ground officers. Information collected from the community can then serve as water services planning material by utility companies.

Vertical Integration and NTB-West Lombok Case Study

In performing various interventions at different levels - community, district, provincial, national and even up - PATTIRO in Jakarta has looked to synergize its efforts, in terms of content issues within the framework of transparency for accountability, with other actors such as CSOs coalitions, and partners in the region and PATTIRO chapter networks at the sub-national level. Much of this has been occurring since 2004, but truly began in earnest in 2007.

According to Fox (2001), synergy is referred to as vertical integration, which refers to the systematic coordination of policy monitoring and civil advocacy between diverse levels of society, from the local to the state, national, and international arenas. One example of experiences that can be delivered in full is found in West Nusa Tenggara (NTB).

PATTIRO began to engage in social accountability intervention programs in NTB in 2006, through the facilitation of a regional office. A massive expansion of this support occurred in 2011, when PATTIRO supported CSO networks in West Lombok, Dompu, Bima, and North Lombok on issues such as budget transparency, citizen budgets, and communities to access public information, in order to foster collective action. At the same time, PATTIRO collaborated with local governments and the Commission to

initiate Electronic Information-Public Information System (EPIS). Finally, earlier this year, the PATTIRO NTB chapter was formed.

By the first quarter of 2014, several significant achievements had been attained. First, in terms of budget transparency, independent budget analyses across the CSO network were formulated as advocacy materials. This material was then submitted to the local parliament and local agencies, with proposals for changes to budget allocations also submitted. One example of the success of this advocacy was the change achieved in Bima. Originally, the Local Government Budget Team (TAPD) had moved to reduce the budget of Department of Health and the Regional General Hospital (Hospital), with the money to be allocated to another post. In response, these CSO networks lobbied the Budgetary Agency in Parliament and managed to restore the budget of the Department of Health to IDR 2.7 billion, with hospitals also continuing to receive IDR 3.1 billion.

The experience has also resulted in community-based success. With the intention of obtaining further information about the BSM (poor students assistance) fund transfer mechanism, community activists supported by Civil Society Networks applied to the Education Office regarding the BSM Implementation Guidelines. Based on this information, these community activists were then able to perform collective actions by asking the principal criteria BSM adhere to appropriate procedures, providing the appropriate level of assistance to the eligible 83 students, instead of claiming payment to 133, as was outlined in the school management plan. Initially the headmaster showed resistance, but after the community activists lobbied the local governments, school management was finally willing to meet the demands of society and committed to publish all grants. This is a demonstration of transparency becoming a lever of social accountability.

Vertical integration has been implemented by PATTIRO from the community to provincial level in NTB and synergized with the national effort. This is illustrated in the matrix below.

Level	Issue Contents	Impacts	Actors	Role of PATTIRO
National	OGP National Action Plan	Collaboration between PATTIRO and UKP4 in four districts.	CSO Core Team	Member of core team
	Freedom information	National Law of Access to Information	FOINI	FOINI coordinator
NTB Province	Budget transparency	Budget publication	CSOs Network	Conduct capacity development
	Electronic-Public Information	Adopted and scaled up to	PATTIRO and Provincial	Technical assistance and

	System	national and other provinces.	Government	develop application
	Information dispute between FITRA and Golkar Party	National support of CSOs against Golkar.	FITRA, Golkar Party, Province Information Commission	Facilitate support from national CSOs
West Lombok District	Citizen budget	User-friendly budget publication	CSOs Network	Conduct capacity development
	Independent budget analysis	Budget advocacy	CSOs Network	Conduct capacity development
	Budget transparency	Budget reallocation	CSOs Network collaborated with District Government	Conduct capacity development
	Citizen Report Cards	Recommendation adopted by education agency	CSOs Networks and community	Technical assistance to CSOs
Communities	Community accessed information	Education office agreed to provide information	Community forum	Conduct capacity development
	Community conducted public services advocacy	Advocacy was successful.	Community forum and CSO Network	Conduct capacity development

According to Fung et al. (2007), 'transparency policies have been propelled by the transforming power of computers and the internet. The internet provides new ways to customize and share information about the risks and the quality of products and services'. Proving this, PATTIRO developed the EPIS in order to reinforce the provision of public information.⁴ With such a system, it's easier for the government to consolidate documents from scattered units of work and disseminate them to the public. The desktop platform can also be synchronized to a web-based platform. Further developments began to appear in the information needs of frontline service system (service units), mostly for basic services. As such, PATTIRO began to develop this system, as an instrument of the information service that serves as a transmitter of information to the grassroots level. The FOI Law is not just a formal implementation of compliance, but indeed it requires innovation for the delivery of information to beneficiaries at the grassroots level.

In this synergized effort of vertical integration, different challenges and strategies were also identified at each level, as described in the table below.

⁴ The E-PIS have two platforms, web-based and desktop (hybrid). Web-based platforms can function only when an internet network is available.

Level	Main Challenges	Strategy
National	<ul style="list-style-type: none"> • Regulations overlap and gap. • Low coordination among agencies / ministries. 	<ul style="list-style-type: none"> • Approaches to MoHA and or leading agencies. • Stakeholder forum for harmonization⁵
Province	Resistance to CSO and community action.	CSO Networks conduct advocacy with media pressure. Capacity development on policy paper about planning & budgeting
District	Resistance to CSO and community action.	Approaches to local parliament and journalists. ⁶
Community (village, sub-district)	<ul style="list-style-type: none"> • Low awareness • village heads tend to be politicians. 	<ul style="list-style-type: none"> • Identify champions as new actors • Organize community. • Capacity development on transparency and accountability.

⁵ PATTIRO on May 2013 convened Local Governance Forum to discuss the harmonization of five regulation drafts, namely Pemda Bill (Pemerintahan Daerah); Financial Scheme between Central and Local Government Bill or HKPD Bill (Hubungan Keuangan antara Pemerintahan Pusat dan Pemerintahan Daerah); State Civil Apparatus or ASN Bill (Aparatur Sipil Negara); Head of Local Government Election or Pilkada Bill (Pemilihan Kepala Daerah); and Village Bill (RUU Desa).

⁶ CSO Networks in Bima Districts in 2013 sent press releases with the attachment of independent budget analyses, and the issue was published in local media and was successful in attracting the attention of local parliamentary members.

References

Fox, Jonathan, “Vertically Integrated Policy Monitoring: A Tool for Civil Society Policy Advocacy”, *Nonprofit and Voluntary Sector Quarterly*, vol. 30 no. 3, Sage Publications, September 2001.

Fox, Jonathan, “Empowerment and Institutional Change: Mapping ‘Virtuous Circles’ of State-Society Interaction”, revised version, paper presented at: Working Meeting on Power, Rights and Poverty Reduction”, 23rd – 24th March 2004, Washington, DC.

Fung, Archon, Mary Graham, David Weil, “Full Disclosure: The Perils and Promise of Transparency”, Cambridge University Press, 2007.

Kotter, John P., “Leading Change: Why Transformation Efforts Fail”, *Harvard Business Review* March-April 1995.

PATTIRO-CSO 6 Monthly Report IV, May 2014.

Saharuddin, Iskandar, “Several Challenges in Eradicating Corruption through Decentralization Bill”, PATTIRO Policy Note, July 2013.

Saragih, Alamsyah, “Social Accountability and CSO in Indonesia”, article for discussion in FOINI, December 2013.

Utomo, Sad Dian, Iskandar Saharuddin, Maya Rostanty, “Harmonization of 5 Bills related to Local Government”, PATTIRO Policy Note, June 2013.